

### **REMARKS**

Applicants wish to express their appreciation to the Examiner for consideration of the submitted claims. Certain claims were rejected under 35 U.S.C. 102(b) as being anticipated and other claims were rejected under 35 U.S.C. 103(a) as being obvious. Applicant respectfully traverses the rejections and requests a withdrawal of all rejections as set forth below.

#### **I. Objection to the Specification**

The disclosure is objected to because of the following informality: "up dated" should read "updated" on page 27.

Applicants wish to extend their gratitude to the Examiner for the courtesy received in pointing out the typo. The specification has been amended to correct the typo as indicated. Accordingly, withdrawal of the objection is respectfully requested.

#### **II. Claim Rejections – 35 USC § 102**

Claims 1-4, 7-13, 16-18, and 20-22 stand rejected under 35 U.S.C. 102(b) as being anticipated by Kim et al. (2002/0183637, hereinafter "Kim").

Kim discloses a method and system for generating a snapshot representative of one beat of a patient's normal cardiac rhythm. According to one approach, a confirmation process uses subsequently detected template beats to determine whether the generated template is or is not representative of one of the patient's normal supra-ventricular conducted beats (paragraph 0008). Template beats are NSR beats that meet defined conditions as taught in paragraph 0081 and are used to form a new template or confirm a template. To confirm a template, currently stored template features are checked prospectively with newly detected template beats. This is a beat-by-beat operation and there is no need to store multiple beats (paragraph 0082).

The present invention discloses a method of generating a template which includes determining whether the template is valid in response to second selected events and updating the template from the second selected events in response to the template not being valid. Since Kim teaches checking template features in a beat-by-beat comparison to template beats with no need to store multiple beats, Kim does not teach updating the template from the second selected events.

Kim does not teach a method or means for updating the template from the second selected events as disclosed in independent claims 1, 10, and 20. As such, independent claim 1 and claims 2-4 and 7-9 dependent thereon, independent claim 10 and claims 11-13 and claims 16-18 dependent thereon, and independent claim 20 and claims 21-22 dependent thereon are patentably distinguishable from the reference. Applicant respectfully traverses the rejection of the indicated claims and requests notice of allowance.

#### **V. Claim Rejections – 35 USC § 103**

Claims 5, 6, 14, 15, 19 and 23 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Kim. As discussed above, Kim does not teach or suggest a method or means for updating a template from second selected events as disclosed in independent claims 1, 10, 19 and 20 of the presently claimed invention. On the contrary, Kim teaches there is no need to store multiple beats in the beat-by-beat operation in which newly detected template beats are used to check currently stored template features (paragraphs 0081 and 0082). As such Kim does not teach or suggest updating the template from second selected events as taught by the present invention in independent claims 1, 10, 19 and 20 since the second selected events would need to be stored in order to update the template after determining whether the template is valid in response to the second selected events. Applicant therefore respectfully traverses the rejection of dependent claims 5, 6, 14, 15, and 23 and requests notice of allowance.

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## VI. Conclusion

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this Amendment, the Examiner is requested to telephone the undersigned attorney to attend to those matters.

Respectfully submitted,

JIAN CAO ET AL.

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Date

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